IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 5984 OF 2006

SHRI AVINASH SUDAM GOSVI ... PETITIONER.
VS.
SHIKSHAN PRASARAK MANDAL & ORS. ... RESPONDENTS.

A.A.AGARWAL FOR THE PETITIONER.
MR. SIDDHARTH CARPE I/B. Y.K.S.LAAL FOR THE RESPONDENT NO. 1 & 2.

CORAM : A.P. DESHPANDE, J.
DATE : January 18, 2007.

P.C.

1. The present petitioner, was appointed as a peon in Shriram Viyalaya, which is administered by Respondent No.1 Shikshan Prasarak Mandal, Bhodani. The Petitioner had averred in the memo of the appeal that his initial date of appointment was some time in the year 1994 and prayed for amendment in the appeal memo. The respondent Management filed its written statement on 29th April, 2006. The petitioner claims to have realised the mistake and hence, moved an application for an amendment in the memo of an appeal. Rejection of the said application by the School Tribunal has given rise for filing of the instant writ petition.

2. In my view, at this stage, it is not necessary to entertain the present petition, however, the ends of justice would be met by granting liberty to the petitioner to raise all the grounds which are raised by the petitioner in the present writ petition,if and in case, the final order of the School Tribunal goes against the Petitioner and the Petitioner is constraint to file the writ petition.

3. Writ petition is thus summarily dismissed with liberty as aforesaid keeping all the contentions open to both the parties.

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[A.P.Deshpande, J.]